



Attorney Docket No. 60000500-1005

PATENT

EXPRESS MAIL EV674725065US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Robert J. BENGTSOON et al.	)	Group Art Unit: 2613
Application No. 10/628,745	)	Examiner:
Confirmation No. 4048	)	
Filed: July 28, 2003	)	
For: APPARATUS FOR PROCESSING DIGITAL	)	
IMAGES	)	

**BOX OIPE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT**

Dear Sir:

This Petition is in response to the *Notice Of Abandonment* dated July 6, 2006, concerning the above-identified matter.

Enclosed is a true copy of the *Response to Notice to File Missing Parts of Nonprovisional Application* mailed June 18, 2004, and a properly itemized date-stamped postcard receipt that accompanied the *Response* evidencing the *Response* was received by the Patent Office on June 23, 2004. Also enclosed is a *Response* to a second *Notice to File Missing Parts of Nonprovisional Application*, a certificate of transmission dated July 26, 2004, and an Auto Reply Facsimile Sheet from the Patent Office evidencing the *Response* to the second *Notice* was received by the Patent Office on July 26. Further, enclosed is an itemized date-stamped postcard receipt that accompanied the original application evidencing a properly executed Declaration/Power of Attorney was filed with the application.

Applicant requests the Patent Office revive the application, withdraw the holding of abandonment and promptly examine the application.

As it is believed that the application is in conditional for allowance, a favorable action and Notice of Allowance are respectfully requested.

Dated: 20 JUL 06

By:

Respectfully submitted,

David E. Crawford, Jr.  
Registration No. 38,118  
SONNENSCHN NATH & ROSENTHAL  
Customer No. 26263



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ASSISTANT COMMISSIONER FOR PATENTS,  
KINDLY ACKNOWLEDGE RECEIPT BY DATE STAMPING AND RETURNING.

Applicant(s): Bengtsson  
Title: Apparatus for Processing  
Digital Images

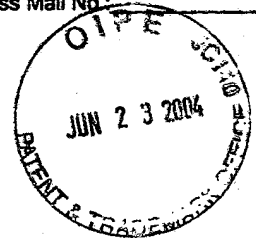
- ☒ Transmittal Letter(s)  
☐ Specification:      Pages  
☐ Total Claims:      Pages  
☐ Abstract:      Pages  
☐ Drawings:      Sheet(s)      Formal      Informal  
☐ Declaration/POA      signed      unsigned  
☐ ADS  
☐ Assignment (w/Recordation Sheet)  
☒ Amendment/Response to Missing Parts  
☐ Petition under 37 CFR 1.136(a)  
☐ Information Disclosure Statement w/Ref.  
☐ Issue Fee Payment  
☐ Request  
☐ Demand  
☐ Fee Calculation Sheet (in duplicate)  
☒ Other Assignment Page

PCT/US #: 10/628745  
Filed: 7-28-03  
Att/Client/Matter No.: 100000500-1005

☒ Fee of \$ 130.00, Paid by  
☐ Deposit Acct. No. 19-3140  
☐ Check No.       
☒ Amex

Date Mailed: 6-18-04

Express Mail No.     





07-21-06

*\$/FW*

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/628,745	07/28/2003	Robert J. Bengtsson	60000500-1005

CONFIRMATION NO. 4048

26263  
SONNENSCHN NATH & ROSENTHAL LLP  
P.O. BOX 061080  
WACKER DRIVE STATION, SEARS TOWER  
CHICAGO, IL 60606-1080

FORMALITIES LETTER



\*OC000000012767204\*

Date Mailed: 05/26/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:  
*Robert J. Bengtsson*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

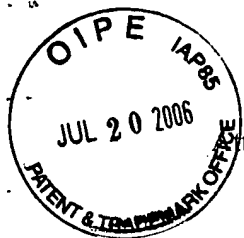
07/24/2006 RMEDRAHT 00000026 10628745 130.00 DP  
01 FC:1051

*Thynguyen*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Attorney Docket No. 60000500-1005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: ) Group Art Unit:  
Robert J. Bengtsson ) Examiner:  
Application No. 10/628,745 )  
Filed: July 28, 2003 )  
For: APPARATUS FOR PROCESSING )  
DIGITAL IMAGES )

Mail Stop Missing Parts  
Commissioner For Patents  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS**  
**OF NONPROVISIONAL APPLICATION**

Dear Sir:

In response to the Notice to File Missing Parts dated May 26, 2004, Applicants submit the remittance copy of the Notice, an executed Assignment page for Robert J. Bengtsson and a credit card payment form in the amount of \$130 to cover the fee.

The Commissioner is hereby authorized to credit overpayments or to charge any deficiency in connection with this filing to Deposit Account No. 19-3140. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated: June 18, 2004

By:

Charles H. Livingston, Reg. No. 53,933  
Customer No. 26263  
314) 259-5822



BEST AVAILABLE COPY

ASSISTANT COMMISSIONER FOR PATENTS,  
KINDLY ACKNOWLEDGE RECEIPT BY DATE STAMPING AND RETURNING.

Applicant(s): Bengtsson  
Title: Apparatus for Processing  
Digital Images

PCT/US #: \_\_\_\_\_

Filed: 7-28-03

Att/Client/Matter No.: \_\_\_\_\_

60000500-1005

☒ Transmittal Letter(s)

☐ Specification: \_\_\_\_\_ Pages

☐ Total Claims: \_\_\_\_\_ Pages

☐ Abstract: \_\_\_\_\_ Pages

☐ Drawings: \_\_\_\_\_ Sheet(s) \_\_\_\_\_ Formal \_\_\_\_\_ Informal

☐ Declaration/POA \_\_\_\_\_ signed \_\_\_\_\_ unsigned

☐ ADS

☐ Assignment (w/Recordation Sheet)

☒ Amendment/Response to Missing Parts

☐ Petition under 37 CFR 1.136(a)

☐ Information Disclosure Statement w/Ref.

☐ Issue Fee Payment

☐ Request

☐ Demand

☐ Fee Calculation Sheet (in duplicate)

☒ Other Assignment Page

☒ Fee of \$ 130.00 Paid by \_\_\_\_\_

☐ Deposit Acct. No. 19-3140

☐ Check No. \_\_\_\_\_

☒ Amex

Date Mailed: 6-18-04

Express Mail No.: \_\_\_\_\_

ASSIGNMENT

WHEREAS We, Robert J. Bengtsson, a resident of Mukilteo, Washington, and Kwun-Wing W. Cheung, a resident of Shoreline, Washington, respectively, ("Assignors"), have made a certain new and useful invention as set forth in an application for United States Letters Patent entitled, **APPARATUS FOR PROCESSING DIGITAL IMAGES**, executed on the date of execution of this document, as shown below, and filed concurrently herewith;

WHEREAS, Assignors believe themselves to be the original, first and sole inventors of the invention disclosed and claimed in the application for Letters Patent; and

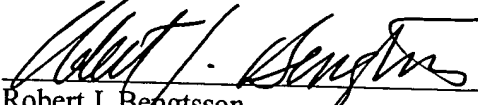
AND WHEREAS, THE BOEING COMPANY, having an address of 100 North Riverside Plaza, Chicago, Illinois 60606 ("Assignee"), is desirous of acquiring the entire right, title and interest in and to said invention, and in and to any and all Letters Patent of the United States and foreign countries which may be obtained therefor;

NOW, THEREFORE, for good and valuable consideration, the receipt for and sufficiency of which is hereby acknowledged, Assignors do hereby sell, assign, transfer and set over unto Assignee, its legal representatives, successors and assigns, the entire right, title and interest in and to said invention, including the right to claim priority under 35 U.S.C. §119 and the right to sue for past infringement, as set forth in the above-mentioned application, including any continuations, continuations-in-part, divisions, reissues, re-examinations or extensions thereof, and in and to any and all patents of the United States and foreign countries which may be issued for said invention;

UPON SAID CONSIDERATION, Assignors hereby agree with the said Assignee that Assignors will not execute any writing or do any act whatsoever conflicting with these presents, and that Assignors will, at any time upon request, without further or additional consideration but at the expense of said Assignee, execute such additional assignments and other writings and do such additional acts as said Assignee may deem necessary or desirable to perfect the Assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, continuations, continuations-in-part, reexamined, reissued, or extended Letters Patent of the United States or of any and all foreign countries on said invention, and in enforcing any rights or chooses in action accruing as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of the assigns and legal representatives of Assignor and Assignee;

AND Assignors request the Commissioner of Patents and Trademarks to issue any Letters Patent of the United States which may be issued for said invention to said Assignee, its legal representatives, successors or assigns, as the sole owner of the entire right, title and interest in and to said patent and the invention covered thereby.

Date: 6/25/03

  
Robert J. Bengtsson

Date: \_\_\_\_\_

\_\_\_\_\_  
Kwun-Wing W. Cheung

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(3) For a verification upon oath or affirmation:

State of Washington

County of Snohomish

Signed and sworn to (or affirmed) before me on 6/26/03 by Robert J. Bengtsson

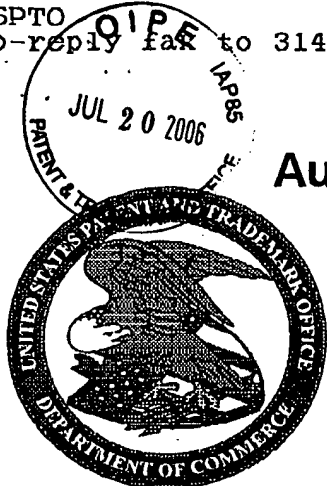
Joy Deana Earle Loyett  
(Signature)

(Seal or stamp)

JOY DEANA EARLE-LOYETT  
STATE OF WASHINGTON  
NOTARY PUBLIC

Notary  
Title  
My appointment expires 8-30-03





# Auto-Reply Facsimile Transmission

TO: Fax Sender at 3142595959

Fax Information

Date Received:

Total Pages:

7/26/2004 3:25:46 PM [Eastern Daylight Time]

11 (including cover page)

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received  
Cover  
Page

=====>

Jul-26-04 14:21	From-Sonnenschein Nath & Rosenthal	314 259 5959	T-000 P.001/011 F-054
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**Sonnenschein**  
SONNENSCHNEIN NATH & ROSENTHAL

**Facsimile Transmittal Sheet**

DATE: July 26, 2004

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME: Missing Parts Response

FAX: 703.746.4060

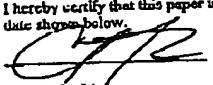
CLIENT/MATTER: 60000500-1005

FROM: Charles H. Livingston

TIME SENT

TOTAL NUMBER OF PAGES TRANSMITTED, INCLUDING THIS SHEET: 11

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

 \_\_\_\_\_ July 26, 2004

Charles H. Livingston \_\_\_\_\_ Date

Type of Paper transmitted: Notice to File Missing Parts of Nonprovisional Application

Applicant's Name: Robert J. Dengstson et al.

Serial No. (Control No.): 10/628,745 Examiner:

Filing Date: July 28, 2003 Art Unit: 2613

Application Title: Apparatus for Processing Digital Images

Original will NOT be mailed

**CONFIDENTIALITY NOTE**

The documents accompanying this facsimile transmission and the Facsimile Transmittal Sheet contain information from the law firm of Sonnenschein Nath & Rosenthal which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet; if you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this facsimile transmission is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

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314.241.1850 Los Angeles  
www.sonnenschein.com New York  
San Francisco  
St. Louis  
Washington, D.C.  
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PAGE 1/11 \* RCVD AT 7/26/2004 3:25:46 PM [Eastern Daylight Time] \* SVR:USPTO-EFAX-20 \* DNR:7464060 \* CSID:3142595959 \* DURATION (mm-ss):03-46

## Confirmation Report - Memory Send



Page : 001  
 Date & Time: Jul-26-04 14:24  
 Line 1 : 314 259 5959  
 Line 2 : 314 259 5959  
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Job number : 854  
 Date : Jul-26 14:06  
 To : 8917037464060  
 Number of pages : 011  
 Start time : Jul-26 14:20  
 End time : Jul-26 14:24  
 Pages sent : 011  
 Status : OK

Job number : 854 \*\*\* SEND SUCCESSFUL \*\*\*

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 SONNENSCHN NATH & ROSENTHAL

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 St. Louis, MO 63102  
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## Facsimile Transmittal Sheet

DATE: July 26, 2004

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME: Missing Parts Response

FAX: 703.746.4060

CLIENT/MATTER: 60000500-1005

FROM: Charles H. Livingston

TIME SENT

TOTAL NUMBER OF PAGES TRANSMITTED, INCLUDING THIS SHEET: 11

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Charles H. Livingston

July 26, 2004

Date

Type of Paper transmitted: Notice to File Missing Parts of Nonprovisional Application

Applicant's Name: Robert J. Bengtsson et al.

Serial No. (Control No.): 10/628,745

Examiner:

Filing Date: July 28, 2003

Art Unit: 2613

Application Title: Apparatus for Processing Digital Images

Original will NOT be mailed

## CONFIDENTIALITY NOTE

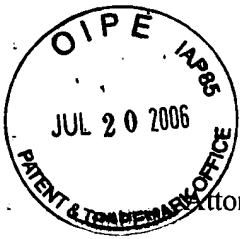
The documents accompanying this facsimile transmission and the Facsimile Transmission Sheet contain information from the law firm of Sonnenschein Nath & Rosenthal which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this facsimiled information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

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Attorney Docket No. 60000500-1005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: ) Group Art Unit: 2613  
Robert J. BENGTTSSON ) Examiner:  
Application No. 10/628,745 )  
Filed: July 28, 2003 )  
For: APPARATUS FOR PROCESSING )  
DIGITAL IMAGES )

Mail Stop Missing Parts  
Commissioner For Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION**

Dear Sir:

In response to the Notice to File Missing Parts dated May 26, 2004, Applicants submit a copy of the Notice and a copy of the executed Declaration and Power of Attorney executed by Robert J. Bengtsson.

Applicants do not believe that a fee is due for this submission since the Declaration and Power of Attorney executed by both inventors was submitted with the application on July 28, 2003. Copies of the utility patent application transmittal, express mail certificate and postcard are enclosed for your reference.

The Commissioner is hereby authorized to charge any fees due in connection with this filing to Deposit Account No. 19-3140. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated: July 26, 2004

By:

Charles H. Livingston, Reg. No. 53,933  
Customer No. 26263  
314) 259-5822



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/628,745	07/28/2003	Robert J. Bengtsson	60000500-1005

26263

SONNENSCHN NATH & ROSENTHAL LLP  
 P.O. BOX 061080  
 WACKER DRIVE STATION, SEARS TOWER  
 CHICAGO, IL 60606-1080

CONFIRMATION NO. 4048

FORMALITIES LETTER



\*OC000000012767204\*

Date Mailed: 05/26/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:  
Robert J. Bengtsson
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

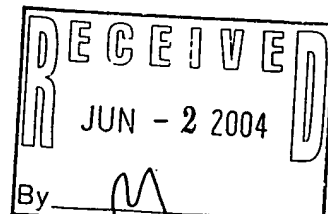
Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
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 BY: [Signature]

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Page 2 of 2

*Vynguyen*

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PART 1 - ATTORNEY/APPLICANT COPY



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KINDLY ACKNOWLEDGE RECEIPT BY DATE STAMPING AND RETURNING.

Applicant(s) Bengtsson et al. PCT/US # \_\_\_\_\_  
Title: Apparatus for Processing Filed: 7/28/03  
Digital Images Att./Client/Matter No. 10000510-1005

☒ Transmittal Letter(s) (in duplicate)  
☒ Specification: 7 Pages  
☒ Total Claims: 19 3 Pages  
☒ Abstract: 1 Pages  
☒ Drawings: 6 Sheet(s) ☒ Formal ☐ Informal  
☒ Declaration/POA ☒ signed ☐ unsigned  
☒ ADS  
☒ Assignment (w/Recordation Sheet)  
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☒ Information Disclosure Statement w/Ref.  
☐ Issue Fee Payment  
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☐ Other \_\_\_\_\_

☒ Fee of \$ 750.00 Paid by \_\_\_\_\_  
☐ Deposit Acct. No. 19-3140  
☐ Check No. \_\_\_\_\_  
☒ Amex  
Date Mailed: 7/28/03  
Express Mail No. EV 332953 339 US

00715 0 5 1 PTG  
10/528715  
07/28/03

105 8/2/03

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Time In Mo. Day Year 15 31	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee		Delivery Date Mo. Day <input type="checkbox"/> AM <input type="checkbox"/> PM	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature	
<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Weight lbs. 10 ozs.	Int'l Alpha Country Code	COD Fee Insurance Fee	<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only) Additional merchandise and services void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article based on secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.			
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FROM: (PLEASE PRINT) SONNENSCHEIN SMITH & ASSOCIATES METROPOLITAN DC STE 3300 SAINT LOUIS MO 63173-2741 Attn: Charles H. Livingston 60000506-1065				TO: (PLEASE PRINT) MAIL STOP Patent Application COMMISSIONER FOR PATENTS PO BOX 1450 ALEXANDRIA VA 22313-1450			

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 <p align="center"><b>UTILITY PATENT APPLICATION TRANSMITTAL</b></p> <p><i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i></p>	Attorney Docket No.:	60000500-1005
	First Named Inventor:	Robert J. Bengtsson
	Title:	APPARATUS FOR PROCESSING DIGITAL IMAGES
	Express Mail Label No.	EV 332955339 US
	Date of Deposit:	July 28, 2003

<p align="center"><b>APPLICATION ELEMENTS</b></p> <p><i>See MPEP chapter 600 concerning utility patent application contents.</i></p>	<p><b>ADDRESS TO:</b> MAIL STOP PATENT APPLICATION Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p>
<p>1. <input checked="" type="checkbox"/> This Form includes the Fee Transmittal (See Box 19) (Submit an original and a duplicate for fee processing)</p> <p>2. <input type="checkbox"/> Applicant claims small entity status. (See 37 CFR 1.27)</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages <u>7</u>]</p> <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets <u>6</u>]</p> <p>5. <input checked="" type="checkbox"/> Declaration and Power of Attorney [Total Pages <u>4</u>]</p> <p>a. <input checked="" type="checkbox"/> Newly executed (original or copy)</p> <p>b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed)</p> <p>i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p> <p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate</p>	<p>8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission</p> <p>a. <input type="checkbox"/> Computer Readable Form (CRF)</p> <p>b. <input type="checkbox"/> Specification Sequence Listing on:</p> <p>i. <input type="checkbox"/> CD-ROM or CD-R in duplicate; or</p> <p>ii. <input type="checkbox"/> paper</p> <p>c. <input type="checkbox"/> Statement verifying identity of above copies</p> <p align="center"><b>ACCOMPANYING APPLICATION PARTS</b></p> <p>9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet &amp; document(s))</p> <p>10. <input type="checkbox"/> 37 CFR 3.73(b) Statement</p> <p>11. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input checked="" type="checkbox"/> Copies of IDS Citations</p> <p>13. <input type="checkbox"/> Preliminary Amendment</p> <p>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)</p> <p>15. <input type="checkbox"/> Certified copy of _____ Priority Document Document No. _____, filed on _____.</p> <p>16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(I). Applicant must attach form PTO/SB/35 or its equivalent.</p> <p>17. <input type="checkbox"/> Other: _____</p>

18. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation    ☐ Divisional    ☐ Continuation-in-part (CIP)    of prior application no.: \_\_\_\_\_/\_\_\_\_\_  
Prior application information:    Examiner Name: \_\_\_\_\_    Group Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. FEE CALCULATIONS:**

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) BASIC FEE
					\$750.00
	TOTAL CLAIMS	19	0	\$18.00	\$0
	INDEPENDENT CLAIMS	2	0	\$84.00	\$0
		ANY MULTIPLE DEPENDENT CLAIMS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		\$280.00	\$0
				SUBTOTAL	\$750.00

- a. ☒ In connection with this application, the Commissioner is hereby authorized to credit overpayments or to charge any additional fee required to Deposit Account No. 19-3140. **A duplicate copy of this sheet is enclosed.**
- b. ☐ The enclosed check in the amount of \$\_\_\_\_\_ covers the total claim fee and recordation fee.
- c. ☒ Amex in the amount of \$750.00.

20. ☒ **CUSTOMER NO. 26263**

Dated: July 28, 2003

SIGNATURE: \_\_\_\_\_

Charles H. Livingston (Reg. No. 53,933)





BEST AVAILABLE COPY

Attorney Docket No.: 60000500.1005  
Customer No.: 26263

## DECLARATION AND POWER OF ATTORNEY

As a below named inventor(s), I/We hereby declare that

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### APPARATUS FOR PROCESSING DIGITAL IMAGES

Case No: 60000500.1005 the specification of which

(check  
one)   X   is attached hereto  
       was filed on \_\_\_\_\_ as  
Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent Office all information which is known to me to be material to the patentability of this application in accordance with Title 37, Code of Federal Regulations. 1.56<sup>1</sup>

I do not know and do not believe this invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and I believe that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as identified below:

<sup>1</sup> (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the application takes in:

(i) opposing an argument of unpatentability relied on by the Office, or

(ii) asserting an argument of patentability.

A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden of proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

I hereby claim the benefit under Title 35, United States Code, §119(e) of any U.S. provisional application(s) listed below:

**Prior Provisional Application(s):**NumberCountryDate

I hereby claim foreign priority benefits under Title 35, United States Code, §119 or §365 of any foreign application(s) for patent, inventor's or plant breeder's certificate(s), or of any PCT international application which designated at least one country other than the United States of America, listed below:

**Prior Foreign Application(s):**NumberCountryDate

and have also identified below any foreign application for patent, inventor's or plant breeder's certificate(s) or any PCT international application having a filing date before that of the above listed application on which priority is claimed:

**Prior Foreign Application(s):**NumberCountryDate

If no priority is claimed, I have identified all foreign patent applications filed prior to this application:

**Prior Foreign Application(s):**NumberCountryDate

I hereby appoint the following attorneys and agents of Sonnenschein Nath & Rosenthal associated with Customer Number 26263, with full power of revocation and substitution, to prosecute this application and to transact all business with the United States Patent and Trademark Office in connection therewith: Kirill Y. Abramov (Reg. No. 47,374), Thomas J. Burton (Reg. No. 47,464), Kimani Clark (Reg. No. 45,969), David E. Crawford, Jr. (38,118), Jean C. Edwards (Reg. No. 41,728), Michael Kiklis (Reg. No. 38,939), Margo Livesay (Reg. No. 41,946), Charles H. Livingston (Reg. 53,933), Christopher P. Rauch (Reg. No. 45,034), and request that all correspondence and telephone calls in respect to this application be directed to:

SONNENSCHN NATH &amp; ROSENTHAL

8000 Sears Tower

Chicago, Illinois 60606-6404

AND William C. Anderson (Reg. No. 28,147), David J. Clement (Reg. No. 44,082), Harry B. Field (Reg. No. 27,880), Ann K. Galbraith (Reg. No. 33,530), Terje Gudmestad (Reg. No. 32,232), Robert L. Gullette (Reg. No. 26,899), John C. Hammar (Reg. No. 29,928), Thomas W. Hennen (Reg. No. 27,798), Henry G. Kohlmann (Reg. No. 26,672), Lawrence W. Nelson (Reg. No. 34,684), Bryan C. Ogden (Reg. No. 25,362), John R. Rafter (Reg. No. 28,533), Charles T. Silberberg (Reg. No. 26,584), James P. Hamley (Reg. 28,081) of:

BOEING INTELLECTUAL PROPERTY BUSINESS  
15460 Laguna Canyon Road  
M/C 1650-7003  
Irvine, California 92618

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of second inventor: Robert J. Bengtsson  
Inventor's signature: [Signature] Date: 6/25/03  
Residence: Mukilteo, Washington  
Citizenship: US  
Mailing Address: P.O. Box 3707, MC 13-08, Seattle, WA 98124-2207

(3) For a verification upon oath or affirmation:

State of Washington

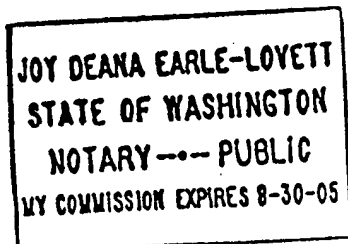
County of Snohomish

Signed and sworn to (or affirmed) before me on 6/26/03 by Robert J. Bengtsson

Joy Deana Earle Lovett  
(Signature)

(Seal or stamp)

Notary  
Title  
My appointment expires 8-30-05



**BEST AVAILABLE COPY**Attorney Docket No.: 60000500.1005  
Customer No.: 26263

AND William C. Anderson (Reg. No. 28,147), David J. Clement (Reg. No. 44,082), Harry B. Field (Reg. No. 27,880), Ann K. Galbraith (Reg. No. 33,530), Terje Gudmestad (Reg. No. 32,232), Robert L. Gullette (Reg. No. 26,899), John C. Hammar (Reg. No. 29,928), Thomas W. Hennen (Reg. No. 27,798), Henry G. Kohlmann (Reg. No. 26,672), Lawrence W. Nelson (Reg. No. 34,684), Bryan C. Ogden (Reg. No. 25,362), John R. Rafter (Reg. No. 28,533), Charles T. Silberberg (Reg. No. 26,584), James P. Hamley (Reg. 28,081) of:

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Full name of second inventor : Robert J. Bengtsson

Inventor's signature	_____	Date	_____
Residence	<u>Mukilteo, Washington</u>		
Citizenship	<u>US</u>		
Mailing Address	<u>P.O. Box 3707, MC 13-08, Seattle, WA 98124-2207</u>		

Full name of sole or first inventor: Kwun-Wing W. Cheung

Inventor's signature	<u><i>Kwun-Wing W. Cheung</i></u>	Date	<u>6-30-03</u>
Residence	<u>Shoreline, Washington</u>		
Citizenship	<u>US</u>		
Mailing Address	<u>P.O. Box 3707, MC 13-08, Seattle, WA 98124-2207</u>		